

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	§	
Marik, et al.	§	Group Art Unit: 3738
	§	
Serial No.: 10/806,961	§	Attorney Docket No. 31132.195
	§	
Filed: March 23, 2004	§	Examiner: Miller, Cheryl L.
	§	
For: Constrained Artificial Spinal Disc	§	

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

**Mail Stop Amendment**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

No fees, including extension of time fees, are believed necessary for consideration of the present paper. However, if any fees, including extension of time fees, are necessary, the extension of time is hereby requested, and the Commissioner is hereby authorized to charge any fees, including those for the extension of time, to Haynes and Boone, LLP's Deposit Account No. 08-1394.

In response to the Office Action mailed July 5, 2006, applicant elects Species 1 as seen in Figures 2-6. This species includes claims 1-5, 7-9, 11, 14-19, 22, 24-26, 29, and 30. It is understood that each of the claims 1-5, 7-9, 11, 14-19, 22, 24-26, 29, and 30 are generic in that the claims read on the elected species and at least one other species.